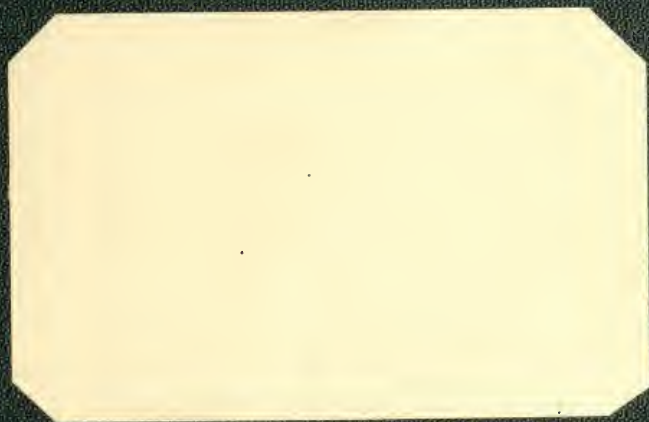


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State of New York.

COMMUNICATION

FROM

MAJOR GENERAL DIX,

RELATIVE TO THE ARREST

OF

HAWLEY D. CLAPP.

TRANSMITTED TO THE LEGISLATURE APRIL 13, 1864.

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State of New York.

No. 93.

IN SENATE,

April 13, 1864.

COMMUNICATION

FROM MAJOR GENERAL DIX, RELATIVE TO THE ARREST OF
HAWLEY D. CLAPP.

HEADQUARTERS, DEPARTMENT OF THE EAST, }
NEW YORK CITY, *April 11, 1864.* }

HON. CHARLES J. FOLGER, *Chairman*:

Sir—Your note of the 9th, inst., was received yesterday, and it affords me pleasure to furnish you with the facts and circumstances attending the arrest and imprisonment of Hawley D. Clapp.

When your note came to hand, I was completing a report to the Secretary of War, (a copy of which, with accompanying papers, I inclose) giving a detailed statement of the atrocious frauds committed upon recruits in this city, and particularly at Lafayette Hall, where Mr. Clapp was the principal bounty-broker, one of a class of agents, who were brought into existence by the system adopted by the committee of the board of supervisors, for procuring recruits, whose services were entirely unnecessary, and whose principal vocation, either by their own direct action or through confederates, was to cheat men entering the service, out of their bounties. The committee, when the frauds had become too palpable and too extensive to be borne, obviated the evil, as far as they could, by the adoption of proper precautions, but not until a military order had been issued, requiring the full amount of bounty to be paid to the recruit.

My report to the Secretary of War, enters into a full detail of these transactions, alike disgraceful to those who were concerned in them, and to the community in the bosom of which they occurred. Mr. Clapp received from the committee of the supervisors,
[Senate, No. 93.]

the bounties for a large number of recruits, (\$300 each) who, as shown by testimony satisfactory to me, were cheated out of the greater part of it, by him, or the parties confederated with him in the business. As the money was paid into his hands, I consider him responsible for it; and I have deemed it my duty, whenever a clear case of fraud was made out, to see the soldier redressed, if possible.

It is only by the summary process of a military arrest, that these fraudulent transactions can be reached. If they are brought into the civil courts, all remedy is hopeless. The recruits are the only witnesses, and the exigencies of the country will not permit them to be kept from the field.

The only alternatives, therefore, were to allow these stupendous frauds to go unredressed, to let the patriotic men, who are offering their lives on the altar of their country, be robbed of the provision which their fellow citizens have made for their families, and to suffer the plunderers to escape with their ill-gotten gains, or to take, as I have done, some of the principal agents in these frauds into custody, to be held till they make restitution.

The amount of which recruits were defrauded at Lafayette Hall, where and while Mr. Clapp was chief broker, cannot fall short of \$400,000. I have succeeded in recovering about \$20,000, and am not without hope of adding largely to the amount.

I am fully aware of the responsibility I have taken in these cases, and that the exercise of the power of arrest is only warranted by the circumstances in which the country is placed, and the special facts which my report to the Secretary of War discloses. It has been exerted in a few cases only, and with the confident assurance in each, that I should be sustained by the Government, and by the public judgment.

Although it is technically true, as Mr. Clapp states in his petition to the Legislature, that "he has not held at any time office under the Government, or had any contracts with the Government" itself, he stood in his capacity as bounty broker, in relation to the military service, of which he seems to appreciate neither the scope nor the force. Lafayette Hall, in which his agency was transacted, was occupied for military purposes; it was guarded by sentinels, and the acts for which he was arrested, were performed within the lines; it was, for all essential purposes, a camp, and he was within it, furnished with office room and other conveniences for himself and clerks, and engaged in paying recruits

their bounties as chief broker, under an appointment, not directly from the Government, but from General Spinola, the commanding officer. He was personally engaged in services of a strictly military character, and standing in a much nearer relation to the Government than many classes of camp followers and retainers, who are by act of Congress, subject to martial law. My own judgment is strongly inclined to the conclusion, that he may be tried by court martial; and if he has not been brought before one ere this, one chief reason is, that I desired to satisfy myself by consulting the course of proceedings in analogous cases, that I should not err in holding him to account before such a tribunal for the acts with which he is charged.

Almost every imaginable form of outrage and deception has been developed in the cases, in which Mr. Clapp was agent for the payment of bounties. Men, both white and colored, were offered employment as teamsters, wagon-masters and officers' servants, receiving from \$20 to \$50, as "pay in advance," and finding themselves enlisted as private soldiers, while Mr. Clapp received from \$300 to \$315, in each case. With what confederates the money was divided, he and they only can tell.

I have considered it enough that it was received by him, and not paid to the recruits, who were entitled to it. In some cases, boys have been seduced from their homes to secure their enlistment; in others, men have been drugged, and enlisted while unconscious; in others, they have been promised furloughs, and, where the full bounty was not paid, they have been told, that they would receive the balance, as soon as they arrived at Riker's Island. In short, there is no artifice or fraud which has not been resorted to, in carrying out this system of pillage. In one case reported to these headquarters, by Mr. Supervisor Blunt, Mr. Clapp was compelled to make restitution, and his conduct was such that he was not allowed to transact business with the supervisors in his own name, but continued it in the name of other parties.

I feel convinced that no class of men would be likely to take part in these outrages upon our gallant soldiers, or sympathize with the perpetrators, unless they cherished a secret sympathy with those who are endeavoring, by force of arms, to overthrow and destroy the government of their country.

Mr. Clapp has been treated since his confinement, with a leniency he does not deserve. He has had the same food as the men

whom he has defrauded, and is much more comfortably lodged and sheltered. His counsel has been permitted to hold two private interviews with him, a privilege not usually granted to the inmates of Fort Lafayette. I have indulged the hope that he would consent to disclose the names of others, more prominent than himself, who are believed to have participated in his fraudulent gains. He is not held for this purpose alone, but with the further view to compel complete restitution to those he has wronged, when the extent of the frauds in which he is implicated, shall be ascertained, and also for trial and punishment, if it shall be decided that he is amenable to a military court. It has afforded me pleasure to comply with the request of your committee, and I earnestly hope that the disclosures I have made, may lead to some legislative provision to secure to recruits, the bounties intended to be paid to them. I take the liberty of stating, that in some instances, the authorities of towns have, of the \$300 raised for bounties, voted \$100 to the recruit, and \$200 to the broker or runner; a temptation to cupidity, which has led to every species of unfairness, deception and fraud.

I am satisfied that the Legislature could never have anticipated so gross a wrong to recruits, to tax payers and the public service, and that suitable restraints will be imposed upon local authorities.

I have the honor also to transmit herewith, a certified copy of the order under which Mr. Clapp was sent to Fort Lafayette, by Brig. Gen'l Stannard, commanding New York city and harbor.

I am very respectfully, your obedient servant,

JOHN A. DIX, *Major General.*

HEADQUARTERS, DEPARTMENT OF THE EAST, }
NEW YORK CITY, *April, 1864.* }

HON. E. M. STANTON,

Secretary of War, Washington, D. C. :

Sir—On the 2d of January, I addressed a communication to you in regard to recruiting frauds, and enclosed a copy of another which I addressed on the same day to Col. Fry, Provost Marshal General.

When I was informed that recruits were defrauded of their bounties at Lafayette Hall, I sent for General Spinola and com-

municated to him the information I had received. He denied the truth of the statements, and assured me that the recruiting regulations were fully complied with; that no man was enlisted without being fully apprised of the nature of the service in which he was engaging; that no recruit was defrauded of his bounty, and that where a less sum than that allowed by the county was paid, it was always by voluntary and amicable agreement with the broker. I had no authority, as commander of the department, to interfere with the recruiting service; but the repetition of the complaints of fraud became so frequent, that I felt it my duty to interpose, so far as to ascertain what ground there was for them. Besides the wrong to recruits in defrauding them of their bounty, I found that men were induced to enlist by false representations from the broker, through whom they were presented, and that persons physically disqualified for military duty were mustered into the service in great numbers. Old men, boys and persons laboring under incurable diseases were, in numerous instances, thrust into the service under this system of public plunder, alike fraudulent to the recruits and the government.

I sent for General Spinola several times, and always received from him the assurance that all was fairly conducted by the officers at Lafayette Hall. The evidence to the contrary became so conclusive, that I directed Lieut. Cole and the contract surgeon, Dr. Kerrigan, to be arrested. They have since been tried; the former dismissed the service, and the latter, who holds no military commission, disqualified for future employment. In my interviews with General Spinola, I objected to the whole system of brokerage, as calculated to prevent instead of promoting enlistments. It was my opinion that public complaints of fraud in the payment of bounties; would in many cases deter men from presenting themselves as volunteers, and that the ranks of the army would be filled with recruits who, feeling that the Government had permitted them to be cheated by its own officers, would be very apt to consider themselves released from their engagements, and would not hesitate to desert at the first opportunity.

General Spinola defended the system of brokerage, and said that without it the Government would get no recruits. The result has been precisely the reverse. Since measures have been taken to secure the recruits the whole bounty to which they are entitled, the number of enlistments has been greatly augmented,

and a better class of men secured. See letters from Gen. Jackson and Capt. Shannon, A. A. G., marked "A" and "B."

The bounty, in the payment of which these frauds have been committed, is that paid by the city and county of New York, amounting to \$300 per man with a fee of \$15 to the person presenting the recruit, in case the recruit be white. About 2,000 men were recruited by General Spinola before he was relieved from the recruiting service. The average amount of bounty paid to them, as he stated in an explanation volunteered to one of my staff officers, (see letter of Major Halpine, A. A. G., marked, "Exhibit C") and as further examinations showed, was about \$100 per man. The other \$200 per man, has been plundered by brokers and their coadjutors. Of the \$600,000 which should have been paid to these recruits, they only received about \$200,000, and the enormous sum of \$400,000 has been plundered by brokers and their associates.

It is one of the most stupendous frauds ever committed in this country. The funds from which the bounties were intended to be paid, were raised on securities which are a lien upon the property of the city. The bounty was intended to go to the recruit as an inducement to him to expose his life in upholding the Government against treason, and as a provision for his family. It has gone for the most part into the hands of public plunderers, some of whom are of notoriously infamous character, and one of whom is known to be a liberated convict, who has been an inmate of the States prison. Among the men engaged in these frauds was Theodore Allen, who was brought to my headquarters and refunded \$200 taken by him from a recruit. Other cases of fraud committed by him were subsequently brought to my notice, and orders for his arrest were given, but he has eluded the pursuit of the officers of justice. I annex a letter from the superintendent of the police, (marked "Exhibit D") stating that he "has been known to the police of the city for at least ten years," that "his reputation in the force is that of a thief;" and that he kept "a gambling house before engaging in the substitute broker business." This man swears that "he was well known to Mr. Brennan, the comptroller, and to the supervisors," and that, "through the friendship of the comptroller, and at his suggestion, and with the approval of the supervisors, these enlistment blanks, thus countersigned (see next paragraph) were given by the supervisors in person to deponent (Allen.) This man may be regarded, in his

leading characteristics portrayed by the superintendent of police, as a type of the group of depredators who were engaged in plundering recruits.

The system inaugurated by the committee of the board of supervisors was, unfortunately, well calculated to give effect to these frauds. Papers were issued in blank and authenticated by the signature of one of the committee, and it was only on the return of these papers, in each case, that the bounty was paid. It was paid by them to the broker, and not to the recruit. The papers were given only to a limited number of persons, so that the business of furnishing recruits and of plundering them of their bounties was, to a great extent, a monopoly. I called the attention of the chairman of the committee of the board, at an early day, to the mischievous consequences of this system, and the committee subsequently remedied it by requiring the broker, or holder of the paper, before paying him the bounty, to produce a certificate of a mustering officer that it had all been paid to the recruit; but the old practice was continued without redress, until the enormous sum I have mentioned was obtained, through deception and fraud, by the holders of these papers, which were, in effect, drafts at sight on the supervisors; and so valuable were they considered, that they were in many cases, sold at a premium of from \$25 to \$75 by the first holders, the purchasers relying on his ability to cheat the recruit out of a sufficient sum to repay the premium, and make a handsome profit for himself.

General Spinola, while defending the conduct of his officers, and asserting the salutary working of the system of brokerage, requested me to send some of my staff to Lafayette Hall, to see in what manner the business of recruiting was conducted. Several of them were sent by me at different times, and it was on their statements that Lieutenant Cole and Doctor Kerrigan were arrested and brought to trial: See statement of Captain Rives, A. D. C., herewith transmitted, marked "Exhibit E." The officials by whom this system of fraud was continued, after they were cognizant of the frauds committed, and who permitted it to go on without interposing their authority to arrest it, must be held, under my view of the subject, as participators in the wrong, even though they may have derived no pecuniary benefit from it. The whole system is a stain upon the community in which it has been tolerated, and the disgrace can only be removed by the most determined and persevering efforts, not only to bring to punish

ment all concerned in it, but for recover to the gallant men who are exposing their lives in the field, to preserve the existence of the government, the money of which they have been defrauded by heartless villains, who have neither the virtue nor the courage to sustain the country against its enemies, but who make a mercenary and criminal profit by plundering its defenders.

I have not hesitated, when these frauds have been clearly proved, to arrest the perpetrators, and to hold them in custody until they have repaid the amounts they have fraudulently obtained, satisfied that I should be supported in so doing, by the Government and the public judgment. I have recovered and paid over to the parties defrauded, or deposited in bank until their orders for payment can be obtained, about \$20,000. I hope to secure a much larger amount; and I desire to acknowledge the very efficient aid I have received from Marshal Murray and his deputies, in arresting the criminal authors of these frauds and compelling restitution.

I found in numerous instances, that the brokers have made written contracts with recruits, to enlist for sums less than the bounty allowed by the city and county. I have treated all such contracts as void, for want of consideration; and in nearly every case, an investigation has shown that they were obtained by false representations.

The outrages practiced on recruits are too intolerable to be borne with equanimity, and in some cases, too loathsome to be detailed.

Boys have been seduced from their families, enticed into oyster houses, drugged, and then enlisted in a state of semi-unconsciousness. Two were so badly drugged that they died, one, the very night of their arrival at Riker's Island, and the other on the following day. I have taken, in some of the worst cases, the responsibility of discharging these boys, where subsequent medical examinations showed them to be unfit for active service, requiring them to refund all the bounty left in their hands by the plunderers. It is deeply to be regretted that in nearly every instance the latter succeeded in eluding detection.

The brokers and runners have frequently, in order to facilitate their schemes of depredation, put on the uniform of the army, representing themselves as officers authorized to enlist recruits, promising them furloughs after their enlistment, and inducing them to leave the greater part, sometimes nearly the whole, of

the bounty in their hands. In such cases, I have not only compelled them to repay the moneys thus fraudently obtained, but taking them at their own word as members of the army and requiring them to produce their commissions, and their authority to recruit, I have, on their failure to sustain the assumed character, sent them to the forts as *prima facie* deserters.

These stringent measures have nearly broken up this whole system of fraudulent recruiting. But a great wrong has been done to individuals and the service, and it is impossible, wholly, to repair it. I shall, nevertheless, persevere in my efforts to discover all the guilty parties, and to compel restitution wherever the evidence is sufficiently clear to warrant the exercise of the requisite authority.

I have the honor to be, very respectfully,

Your obedient servant,

(Signed,)

JOHN A. DIX,

Maj. Gen. Commanding.

Official copy.

CHAS. G. HALPINE, *Major and Asst. Adjt. Gen.*

HEADQUARTERS, DEPARTMENT OF THE EAST, }
 NEW YORK, *February* , 1864. }

Brigadier General JAMES B. FRY,

Provost Marshal General, Washington, D. C.:

Sir—In reply to your communication of February 8th, I have the honor to state the following in relation to the recruiting in this city, at Lafayette Hall, under the superintendence of Brig. Gen. F. B. Spinola, U. S. Vols.

In the latter part of November, a great many complaints were made to Major General Dix, in reference to the manner in which enlistments were made. These complainants were generally the father, mother, sister, brother, or some near relation, and in the case of negroes, their employers. They stated that the recruits had been swindled out of nearly all of their bounties by brokers, who carried on their business openly at Lafayette Hall; that these brokers would tell the recruits that they would give them the remainder of their bounties when they arrived at Riker's Island, but in no instance did the recruits receive it.

In some case negroes were taken there with the understanding that they were to be hired as hostlers to take care of some gentle-

man's horse. Such was the case of Anthony Riker, William *alias* Joseph White, Evart D. Keaton, (cases before a general court martial for the trial of Lieut. Cole, the mustering officer,) and many others. The affidavits in the cases have been sent to the War Department. In all these cases (Riker, White and Keaton), they testified that they were taken to Lafayette Hall to become hostlers, and not for the purpose of becoming soldiers. That in the case of Riker, he was promised \$25 a month; he signed his name to some papers which he thought was the contract; that he was not sworn into the service of the United States; and had no idea he was a soldier until he started to go away, when the guard stopped him. They (brokers) gave him but \$14. The cases of White and Keaton are the same. The mustering officer did not explain anything to them. On the 28th of November, Vincent Ruelland, a sailor of the French corvette "Tissiphone," then lying in the harbor of New York, was drugged by them, and taken to Lafayette Hall, and, while drunk, was enlisted. On the 27th November, L'Hote and Angel, sailors, of the same vessel, were made drunk, and taken by brokers to Lafayette Hall, and enlisted. These men could not speak a word of English, and were so drunk that they could hardly stand, and their signatures to their enlistment papers will prove conclusively that they were drunk. They were in almost full uniform. After this happened, complaints were made to us by the French Consul in this city. I was sent by General Dix to go to Lafayette Hall, and see how they done business. I went, I think, on or about the last of November 29th, perhaps 30th. I was in citizen's dress, for I did not wish them to know me. I saw a great crowd of brokers, who seemed to have full sway. A few days after this I went there again, but as soon as I had entered the room I heard some one screaming. I went immediately to the place from whence it proceeded, which was near the desks where the mustering was going on, I found there a negro boy about 18 to 20 years of age, being held by some men dressed in uniform and whom I took to be guards. I had already received complaints of men being enlisted there against their will, and took this to be one of the same. I considered it my duty to throw off all disguise, and prevent it if such was the case. I went to the soldiers who were holding him and asked what they were doing to the boy. They said it was none of my business. I then told them who I was, and ordered them to let the negro loose. I then asked the negro

what they were going to do with him; he said that they were trying to make him enlist as a soldier, and that he did not wish to be one. I then told an officer who was present, (I do not know his name,) and I thought on duty, to have the negro sent away, which he did. No one paid any attention to this, for by the way they acted it seemed to be a common occurrence. The screams of the negro could be easily heard on the street. I left immediately and reported the fact to head quarters. I testified to all this on the court martial in the case of Lieut. Cole. He brought General Spinola and Captain Hanley, A. A. general of his staff to testify that they remembered this circumstance, and they testified that it took place in the latter part of December, certainly after the 24th. I testified that it took place before the 11th of December, and I thought about three or four days after my first visit. I did not see General Spinola on this occasion, as he said I did. I remember the case which he refers to, but but it was a different one from which I testified to.

At another time, I do not remember the day of the month, but was in December, (I took note of this with the names and day of the month,) I saw General Spinola, in person, swear a recruit who was so much under the influence of liquor that he could hardly stand. I saw the man's condition before he was sworn in, and kept back so I would see if they would swear him in that condition; and as soon as I saw General Spinola swearing him in (in person), I went up close, (he did not see me), and heard all that was said. The man was not asked if he wanted to be a soldier; his hand was held up while the oath was being read, but he made no reply to it for his condition was such that he could not understand. I said nothing to General Spinola in reference to this. On the same day I saw a person on the bench about 17 to 19 years of age, who was about five feet high. When the papers were brought up, enlistment papers, the boy's height was put down, as General Spinola said, as five feet two inches. He ordered the orderly to have the boy measured again. I went and saw him measured without General Spinola seeing. The boy measured four feet ten and a half inches, and he moved his head easily under this measure. He was then taken back to General Spinola, and the man said he measured about five feet two. General Spinola said put him down five feet three, I reckon he is that. The mustering officer would ask the recruit in some case, "are you satisfied with your bounty that you have?" and

they would say yes, for the brokers told them that they were entitled to only so much, and the mustering officer did not tell them as a general thing how much they were entitled to, but simply asked the question "have you received your bounty and are you satisfied with it?" The negroes who were going as hostlers, did not know what this meant. I spoke to General Spinola on several occasions in reference to this. He said he did not care whether a recruit received a cent or not, and he would take a man if he did not get a cent. Hawley D. Clapp had a man in Lafayette Hall to cash the assignment papers of the brokers. This man had a clerk, and I did not know until some time after my first visit, that this man (C. B. Ellsworth), was not employed by the Government to pay bounties. This man testified in the court that he was employed by Hawley D. Clapp to cash these papers.

Patrick Burns testified that Hawley D. Clapp made from \$25 to \$50 off of each recruit's papers, on an average about \$50, and that the brokers made \$100; such is not the case, for all the affidavits will show that they made almost \$200, and in some cases 320 odd dollars. Anthony Riker only received \$14; Joseph White (alias William), \$40; Vincent Ruelland \$1 (one); Charles S. Rone (Rosey), \$40; Evart D. Keaton \$25, and John Santo none. Santo belongs to the 10th U. S. infantry, (a musician); he had a furlough, came to New York from his regiment at Fort Lafayette, was made drunk by some runner, taken to Lafayette Hall, and was enlisted. He had his furlough in his pocket. He does not recollect anything from the time that he was made drunk until he found himself on Riker's island, two days afterwards. All the affidavits will prove that the recruits as a general thing receive but about fifty dollars, and that the brokers were always encouraged. The brokers would tell the men (recruits), that they would pay them the remainder as soon as mustered. All the mustering officers and General Spinola knew of this swindling, for the name of Lafayette Hall and its swindling, was a byword in the mouth of every one. General Spinola was present during the day from 12 m. until night. He saw drunken men daily in the hall, and on the eve of being mustered. Yet these men were never sent away, but were mustered. I know of several cases where he saw me, and sent the drunken men away, yet I never saw a case where a man was not mustered because he was drunk, unless some of the officers of Lafayette Hall saw

me there. I noticed this fact in particular. I have seen many men mustered who were under the influence of liquor. When I was there in disguise, for the first three or four times and before my face was familiar, to see drunken men awaiting to be mustered was anything but common. But when my face was known the men would be hurried out and kept there until I left, and I suppose they were then brought back and mustered. I never saw the men (recruits), questioned properly; they were intimidated by the brokers, and the brokers were assisted in this by the various officers at Lafayette Hall. P. B. Marsh (late detective to Brig. Gen. Hays), testified that he went to see General Spinola in the case of Vincent Ruelland. He asked him (General Spinola), if it was not the duty of the mustering officer, when the party (recruit), could not read, to read the enlistment papers to him, that he (recruit), might know what he was signing. General said, "Damn it, if we did that we could not recruit twenty men a day." I (Marsh), then asked him how it was in the case of the French sailor, Ruelland, that could neither read, write or understand a word of English? he (Spinola), said "Oh, damn it, he signs his name." About the first part of January last, while passing along by the Metropolitan hotel, which is nearly opposite to Lafayette Hall, I saw a boy, apparently about eighteen years of age, coming down the street, (Broadway). He was seized by two runners, (one taking him by the feet and the other by the body,) who tried to carry him across to Lafayette Hall. They had got as far with him as the middle of the street, when his cries and screams attracted so many persons that the runners dropped him and ran into Lafayette Hall. Colonel Van Buren, Asst. Adj. General to the head-quarters, Dept. of the East, witnessed a similar occurrence in the passage way of Lafayette Hall, and made the parties release the man. The sentinel who was stationed at the door paid no attention to this, for the reason that it must have been a common thing. I have received complaints of parties (negroes), who were taken by force to Lafayette Hall and confined there under guard, and did not receive anything to eat until they consented to enlist as a soldier.

These complaints have been sent to the War Department in the form of affidavits.

Major Halpine, of General Dix's staff, has also made a statement which is enclosed. I also forward the letter of Mr. Schultz and detective Kelsy, which will give some information. I would

suggest that Brig. Gen. Hays, provost marshal of New York, could, I think, give a great deal of information. The enlistments as carried on at Lafayette Hall, is in the mouths of every one, and with the information now before you I think that it will not require much thought as to who are the guilty parties.

I have the honor to be, sir, very respectfully,

Your obd't serv't,

(Signed,)

WRIGHT RIVES,

Capt. and A. D. C.

Official copy.

CHAS. G. HALPINE, *Major and Asst. Adj. Gen.*

OFFICE OF SUPERINTENDENT OF THE METROPOLITAN POLICE, }
300 MULBERRY STREET, NEW YORK, *Feb'y 17th, 1864.* }

Major General JOHN A. DIX, New York:

Sir—In reply to your enquiry of yesterday I have to state, that the person Theodore Allen, has been known to the police of this city, for at least ten years; his reputation in the force is that of a thief, but he has never been convicted, although arrested and held several times. He was lieutenant in the 25th Regiment, N. Y. S. Vols., Col. Kerrigan, and served his time out. On his return he opened a gambling house in Greene street, and subsequently engaged in the substitute brokerage business.

Very respectfully yours,

(Signed,)

JOHN A. KENNEDY,

Superintendent.

HEADQUARTERS, DEPARTMENT OF THE EAST, }
April 12th, 1864. }

A true copy.

D. T. VAN BUREN, *Col. and A. A. G.*

HEADQUARTERS, DEPARTMENT OF THE EAST, }
NEW YORK CITY, *February 18th, 1864.* }

To Major General JOHN A. DIX:

General—During the progress of the investigation as to the conduct of affairs at Lafayette Hall, made by me, under your instructions, I was waited upon by General Spinola, who volunteered a statement in explanation and vindication of the manner in which recruits had been enlisted at that place. This state-

ment was volunteered on the part of General Spinola, and was by me deemed so important that I took down on paper, notes of its most important points, as he spoke, begging him to talk slowly and pause at the end of each sentence, until I had so recorded his words. Of that statement, in its more important features, the following is a synopsis.

GENERAL SPINOLA'S STATEMENT.

Bad as things are in New York, they are much worse in the New England States. My object is to fill my brigade, and without the help of the brokers this cannot be done. In New England, the towns, cities and counties take an assignment of the United States bounty and State bounty from the recruit, cash them, and give the whole to the brokers. They are not particular as to whom, or what class of men they take, their object being to fill up their quota. Thus a Mr. James Lee, a broker at Lafayette Hall, had three men rejected by my examining surgeon, whom he subsequently took east, and, on his return, told me that he had cleared \$1,250 on them. In this manner recruits are taken away from New York at the rate of from 100 to 150 per diem. Not long ago a broker brought down from Dunkirk 28 men, and offered them at Lafayette Hall. On being told that (owing to investigations that were being made) he would have to pay the \$300 county bounty into each man's hands, this broker replied: "I spent \$1,200 and three weeks of my time getting them—how am I to get paid?" He then took them east and will, doubtless, receive for each of them a full county, State and United States bounty, somewhere between \$700 and \$800, less the sum of \$125 per man, which they had agreed to take. These cases are of daily occurrence. General Spinola knows of a case in Brooklyn, where a person, called Hand, had his son taken from him, only fifteen years of age. The broker took him to New Hampshire, and came home in a few days with \$450, and the boy sent home \$200. The General says that, he has cases every day where recruits refuse, peremptorily, to take more than \$150, even when offered, and pressed to receive the whole amount. They say, "No, we have \$150 and will receive \$300 more on Riker's Island, and we do not want any more; we prefer to give away the balance." Had one case a few days ago in which a boy received \$100 from the broker, the broker keeping \$200 for himself. This boy wanted to pay him \$50 more, only leaving himself \$50. He was

forcibly restrained from doing so by the officers in Lafayette Hall, but he rolled up a fifty dollar bill, and threw it over the railing to the broker, insisting that he wanted to give it to him. This boy while doing this was, in General Spinola's judgment, perfectly sober.

A gang of sharpers have enlisted, and are now on Riker's Island for gambling purposes, and they "skin" fellows of every cent they bring there. There is a great deal of gambling on Riker's Island.

General Spinola says that he tried hard, at first, to get the recruits paid by the supervisors' committee, but they were kept there all day, and sent away without their money; the offices were so far apart (*i. e.* Lafayette Hall from the county court rooms) that it would have taken a detail of 500 soldiers to carry the recruits to and fro.

General Spinola has seen Supervisor Orison Blunt advance, out of his own pocket, the money to start fresh volunteer brokers, taking their due bills for its payment. He has heard Blunt say, repeatedly, in the presence of Hawley D. Clapp, himself and others, that, "he did not care a damn if the recruit did not get \$5; what he wanted was to fill the quota, and get rid of the damned draft." Blunt gives the papers, (see Appendix A and B) authorizing these brokerages to everybody, and anybody who will apply. They are printed certificates of muster, to be signed by the mustering officer, and an assignment of bounty to the broker, to be signed by the recruit. There is another assignment from the broker to Orison Blunt, who, on this latter document, draws money from the comptroller.

General Spinola has no doubt that very many payments have been made on forged papers by the county committee. It is easy. There is only one name to be really forged—that of the mustering officer, with whose signature it is impossible for Mr. Blunt, or those acting in his behalf, to be very well acquainted. The other signature upon the paper, that of the recruit, there is no means whatever of verifying.

It has also to General Spinola's knowledge been a common practice to change men between Lafayette Hall and Riker's Island. The brokers present a man who is rejected, having all his papers, however, duly made out before presentation. They then send in a second, sound and healthy man, under the same name, have him passed by the doctor, and then between Lafayette

Hall and Riker's Island, by the connivance of the guard, or otherwise, substitute the rejected man for the sound man; and this has taken place repeatedly. He has now one case in which he knows this to have been done, and in which he is endeavoring to cause the arrest of the party engaged in the swindle.

The appointment of Hawley D. Clapp to be chief broker at Lafayette Hall took place in this way. When General Spinola found that the supervisors would not or could not pay the \$300 county bounty to each recruit, he said to Mr. Clapp, "Here is a good thing," and gave to him and his clerks permission to have an office, with desks, tables, &c., in Lafayette Hall. Clapp only takes as his share, in each case, the \$15 recruiting fee, as payment for the loan of the \$300 until such time as he can get the assignment cashed by Mr. Blunt. Is of the opinion that the board of supervisors will insist upon its going on in just this way.

General Spinola says that he was not satisfied with the manner in which one of the doctors in Brooklyn did business; that he knows he was in the habit of signing certificates of physical fitness in blank, and allowing them to be filled up by his assistant; did not like this assistant; thought he was "on the make," and passed men for money paid by the brokers; he did not however arrest either the doctor or his assistant; has now at his house one of these certificates, signed in blank by this doctor; thinks that if the broker system be broken up that recruiting will come to a dead halt; claims that of the 2,000 men enlisted at Lafayette Hall, previous to this statement, they have averaged a receipt of \$100 per man; thinks \$200 for the broker not too much, as they have in some cases to bring the recruits from Canada, New England, Pennsylvania, Ohio, and elsewhere; is satisfied further that it is not for the good of recruits to have much money paid to them, as they will only buy whiskey with it and get intoxicated.

The General desires that I should see Brig. Gen. Nelson Taylor, Lieut. Col. Daniel Mann, and some other officers, who have been cognizant of the mode of doing business at Lafayette Hall, whom he would send to me. He expresses anxiety that this report should be fairly made, as, otherwise, it might injure his standing as an officer. If he has committed any errors they have arisen solely from his desire to fill up his brigade as rapidly as possible, in order that he might return to the field.

I have further to report, that I had interviews with Mr. Hawley D. Clapp, Captain Hanley, assistant adjutant general to General Spinola and mustering officer at Lafayette Hall, Lieut. Col. Daniel Mann, and several other officers detailed on recruiting service at Lafayette Hall, sent by General Spinola to offer their testimony.

In their statements there was, apparently, full corroboration of all of General Spinola's views in reference to the matter, but no new facts of sufficient importance to claim special attention.

I have the honor to be, General,

your obdt. servant,

CHAS. G. HALPINE,

Major and A. A. Gen.

HEADQUARTERS, DEPARTMENT OF THE EAST, }
NEW YORK CITY, *February 22, 1864.* }

Brig. Gen. G. I. STANNARD,

Commanding U. S. Troops N. Y. City and Harbor:

General—I am commanded by Major General John A. Dix to direct that you will take charge of Mr. Hawley D. Clapp, and confine him within Fort Lafayette, pending further orders from the War Department in his case.

The charges against Mr. Clapp go to show that he has been portion of a system by which thousands of recruits have been grossly and scandalously defrauded of their bounty money, at Lafayette Hall, and under which unfit men, drunken men, and men suffering under insensibility produced by opium, have been illegally sworn into the service of the United States, and then defrauded of their bounty.

I have the honor to be, General,

Your very obdt serv't,

(Signed,)

CHAS. G. HALPINE,

Major and A. A. Gen.

P. S. By further command of General Dix, General Stannard will immediately place Mr. Hawley D. Clapp under charge of an officer, who will be responsible for his delivery at Fort Lafayette before sundown this evening. The officer in charge will allow Mr. Clapp to make such purchases as appear necessary,

and also to visit his counsel, Mr. James M. Smith, in Chambers street, but to make no other visit.

Very obediently,

(Signed,)

CHAS. G. HALPINE,

Maj. and A. A. Gen.

Official copy.

CHAS. G. HALPINE, *Maj. and A. A. Gen.*

HEADQUARTERS, DRAFT RENDEZVOUS, }
RIKER'S ISLAND, N. Y. H., Feb. 29, 1864. }

General—I have the honor to make the following statements concerning the affidavits of recruits, which have been taken at these headquarters during the past three months.

In the month of December there was a continual stream of complaints from the men relative to their bounties; some in the form of written communications, some verbal statements through their company and battalion commanders, and many through the provost marshal. At first these complaints were not much noticed, because it was not clear how the evil could be remedied here. The men appeared on the rolls as having been properly enlisted, and there was nothing beyond their own statements to show that they had not received the full bounty to which they were entitled. However, the complaints soon became so numerous that the practice of taking affidavits was begun, although with little expectation of recovering the bounties of which it was evident so many had been robbed.

The applicants to have their affidavits taken steadily increased in number, and a special clerical force was employed on this work. It is no exaggeration to say that the office was frequently thronged with recruits, anxiously waiting an opportunity to make their statements. Frequently civilians came to the island in search of relations that had been missed; and when found would bring them to the office, and solicit for them the privilege of making their statements. And, in this connection, the fact may be stated, as it indicates the kind of recruits that were being furnished there, that the father sought and found his missing son, and the son his missing father.

The tenor of these affidavits was generally the same, fraudulent enlistment of recruits, and little or no bounties paid them. The amount of treachery and baseness which they disclose seems

almost incredible. Persons who supposed they were hiring themselves to a few months service as waiters, coachmen, sailors and mechanics, suddenly found themselves bound to a three years' term of military service. Many, who had been drugged, could tell nothing of their enlistment, and were wholly unable to account for the suit of blue in which they were clothed. Many received a small part of the \$300 bounty, and were told that the remainder would be paid at Riker's island.

It is impossible to state the exact number of affidavits which have been taken, for the records contain notice only of those which were forwarded to the headquarters of Maj. General Dix and Brig. General Hays. Many affidavits were taken and forwarded by mail to the friends and relatives of the recruits, and in many cases delivered to them personally at the office. The number however is large, and may be safely stated at hundreds.

In the beginning the direct object of taking the affidavits was to recover the bounty; and, therefore, many cases were passed by as hopeless; for instance, cases where the recruit had no clear knowledge of the circumstances of his enlistment, and could give neither names nor localities; so that, the actual number of affidavits taken, even though reaching hundreds, can but partially show how great a wrong has been done.

I am, General, very respectfully,

Your obdt. servt.,

(Signed,)

R. C. SHANNON,

Capt. and A. A. G.

Brig. Gen. N. J. JACKSON, *Commanding Draft Rendezvous, Riker's Island, N. Y. H.*

Official copy.

CHAS. G. HALPINE, *Major and A. A. G.*

* HEADQUARTERS, DRAFT RENDEZVOUS, }
RIKER'S ISLAND, N. Y. HARBOR, Feb'y 29, 1864. }

Major—I have the honor to acknowledge the receipt of your communication of the 18th instant, requesting a statement of my views as to the past system of obtaining recruits at Lafayette Hall under General Spinola, the quality of the men furnished under that system, their condition, spirit, and any other facts which may be regarded in this connection as of public interest.

In reply, I have the honor to state, that my only means of

judging the system is by the recruits furnished under it, and judging by the recruits, I should unhesitatingly say, that the system which is attended with such results must be radically wrong, and if allowed to continue would become nothing less than an outrage on the community, and a disgrace to the Government. I derive this opinion from a comparison of the recruits furnished under that system with those that are received now.

Upon carefully examining the records, I find that during the month of December last, there were received at this rendezvous on the average of eighty-one recruits per diem, and that during the present month of February, there have been received on the average one hundred and twenty-one per diem, being an increase of about 50 per cent.

Under the system of recruiting which prevailed during the month of December last, more young boys and old men were received than now, more men came to the island drugged and intoxicated than now, and finally, (which is the best test of any system of recruiting), the number of strong, healthy able-bodied men that came was very much less than now. This shows that if the system in question is not bad, there can be few others worse.

Again, I am forced to this opinion, by the statements of the men themselves, made under oath, all of the same general character, telling of fraudulent enlistments and little or no bounties received. On this point, I would respectfully call your attention to the accompanying report of Capt. Shannon, A. A. G., with the additional remark, that the practice of taking affidavits has now almost entirely ceased, for obvious reasons.

I am, Major, very respectfully,

Your obedient servant,

(Signed,)

N. J. JACKSON,

Brig. Gen. Vols.

Official copy.

CHAS. G. HALPINE, *Major and Ass't Adj't Gen.*

To the Hon. the Senate :

The petition of Hawley D. Clapp, of the town of Mamaroneck, in the county of Westchester, in the State of New York, now confined as a prisoner in Fort Lafayette, respectfully represents : That he is not now and has not been engaged in or connected

with the military authorities of this State or of the United States. That he has not held at any time office under the General Government, or had any contracts with the Government. That he has not been guilty of any crime or offence against the laws of the State, or of the United States. That he has not been arrested upon any process issued out of any State or Federal court; but that such arrest and imprisonment is by virtue of an order issued by Major General Dix.

And your petitioner further shows, that on the 17th day of February, 1864, he was arrested and imprisoned in Fort Lafayette, where he has since remained in confinement, subjected to the same treatment and indignities inflicted and imposed upon traitors and pirates. And your petitioner further shows, that he has been informed that such imprisonment and indignities are imposed and inflicted upon him to extort from him information which it is alleged he possesses, though your petitioner has repeatedly averred, and still avers, that he does not possess the information that is attempted to be extorted from him by these inquisitorial acts; and that he has offered to answer under oath any interrogatories relating to his alleged knowledge. That he has repeatedly demanded a hearing upon the charges against him, which hearing has been refused. That he has offered good and sufficient bail to appear and answer any charges against him, and that such offer has been refused. And your petitioner, as a loyal citizen that was never accused of crime, claims the protection of the law of this State, and invokes your honorable body to take some measures that will secure him his constitutional rights and shield him from unjust oppression.

HAWLEY D. CLAPP.

NEW YORK, *April 5*, 1864.

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